



Department of Pesticide Regulation



Mary-Ann Warmerdam
Director

AGRICULTURAL PEST CONTROL ADVISORY COMMITTEE

Edmund G. Brown Jr.
Governor

February 24, 2011
9:30-12:30
CalEPA Building
First Floor Training Room

MEETING MINUTES

Members Present: (10) Ronald Berg- Pest Control Dealers, Linda LaVanne- Agricultural Pest Control Advisers, Mary Louise Flint-UCIPM, and Glen Foth – Commercial Applicator Certificate Holders, Phil Mullins– alternate for Pest Control Businesses, Scott Hudson- County Agricultural Commissioner Association, James Farrar -California State University System, FAC section 5611, , Wayne J. Steele – Registrants, Francisca Johnson General Public Member, and Matt Scally– Maintenance Gardener Pest Control Business

Department Staff: (6) David Duncan- Chair of Committee (Ch), Margie Read, Cynthia Ray, John Sanders, Jay Schreider, and Rayven Jenkins

Guests: (4) Terry Gage- California Agricultural Aircraft Association (CAAA), Joyce Basan- The California Association of Pest Control Advisers (CAPCA), Judy Letterman – (PAPA), and John Erisey- Agricultural Pest Control Advisers

Members Absent: (5) Tim Stone - alternate for Commercial applicators, Dick Stoltz - Pest Control Aircraft Pilots, Ken Nichols - Pest Control Businesses, Kenneth Oneto- FAC section 56115, and Timothy Smith - Board of Governors of the California Community College System

I. Introduction and Administrative Topics - David Duncan- Committee Chair

Minutes from November Meeting: David Duncan told the committee that the November 16, 2010 meeting minutes will be posted to the DPR website after the members approve the minutes. All committee members received a copy of the November minutes, and asked to please submit an email to David Duncan if there were any changes or concerns. A request was made that, in the future, the draft minutes be emailed to the committee within a month of the meeting. David stated that the minutes would be sent more quickly, and thanked the committee for their time and patience.

The remaining APCAC meeting dates for 2011 are May 5, August 19, and November 17

II. - Kettleman City Update – Drs. John Sanders, and. Jay Schreider, DPR

At the August 2010 APCAC meeting Pam Wofford and Dr. Jay Schreider reported on the Kettleman City case study. When directed by the Governor to take aggressive action to investigate the birth defects (mainly cleft palettes) in Kettleman City, California, Cal/EPA formed an exposure assessment team that includes members from each of the five boards, departments and office within Cal/EPA -- the Office of Environmental Health Hazard Assessment, the Department of Toxic Substances Control, the Air Resources Board (ARB),



the Department of Pesticide Regulation (DPR), and the State Water Resources Control Board. The Cal/EPA entities worked in conjunction with the California Department of Public Health, and the U.S. Environmental Protection Agency. The investigation has proven to be the most extensive environmental health investigation in California.

The Kettleman City community is located in southwestern Kings County along State Highway 41 just north of Interstate 5. There is a Class 1 toxic hazardous waste management facility 3.5 miles from the city. There are also naturally occurring petroleum deposits as well as oil pipelines, wells, pump stations, and a bulk storage facility in the area. And the California Aqueduct and local canals are located close by and is the source of fish eaten by some of the residents.

The state investigation focused on diesel emissions and pollution from the nearby waste facility, and also looked into pesticides in the air and detected chlorpyrifos, endosulfan and diazinon. As part of the chemical-identification process, work group members considered the possible sources of chemicals in the Kettleman City area. In some cases, these chemicals may be present as a result of past activities, or they may be currently used and emitted. Possible sources of these chemicals include:

1. Air pollutants originating from the waste management facility, agricultural pesticide applications, diesel trucks and motor vehicles, and other sources.
2. Drinking water contaminants, particularly arsenic
3. Contaminants in soil as a result of past releases or dumping of oil waste, industrial waste and household waste.
4. Household dust. Indoor dust and air may be a source of environmental contaminants.
5. Groundwater (drinking water) contamination from naturally occurring arsenic, or from benzene and petroleum compounds.

DPR analyzed records of pesticide use within five miles of Kettleman City for the years 2007, 2008, and 2009. Using these records, computer modeling, and historical monitoring data, DPR staff estimated airborne pesticide concentrations within Kettleman City to evaluate if any may have been high enough to raise health concerns. DPR also conducted limited air monitoring of several pesticides from early June to the end of July 2010. This enabled DPR to evaluate current exposures and compare measured levels of key pesticides to its computer modeling estimates.

The report could not find a conclusive link to the birth defects reported in Kettleman City, but it did make recommendations to improve the overall health of the community.

Recommendations include:

- The State will continue to work with the community services district and has offered funding to help pursue a new source of drinking water for Kettleman City to reduce the level of arsenic in the community's water.
- The Department of Pesticide Regulation (DPR) will conduct statewide risk assessments for diazinon and chlorpyrifos to determine if mitigation measures are needed. DPR will implement statewide mitigation measures in 2011 to reduce exposures to MITC.

- The ARB will work with the San Joaquin Air Pollution Control District to evaluate benzene emissions from the air stripping units at the municipal water wells, particularly the southwest well.
- Officials will conduct further investigation and possible cleanup of chlordane contamination at one home.
- The State will provide the community with an update on implementation of these recommendations by July 1, 2011.

It is believed that having a normal water supply would not only lessen the need for bottled drinking water, but would make a lot of the community happy. The final press report was posted in December on the DPR website at the link below:

<http://www.calepa.ca.gov/PressRoom/Releases/2010/Dec31.pdf>

III - Licensing Update

License/Certificate Renewal Statistics:

- Of 11,911 individual renewal packets mailed in August 2010, 11,473 (96%) have been returned to DPR for processing; 11,307 (95%) have been renewed.
- Of 2,121 business renewal packets mailed in August 2010, 2,238 (100% - There will be more coming in because new businesses are submitting new renewals as well) have been returned to DPR for processing; 2,280 (100%) have been renewed.
- Those applicants whose names started with the letters A – L, and passed the exams in October 2010, were given the option of having their license immediately issued, and then renewing at the end of 2010, in which case they were sent a renewal application with their exam results, OR waiting until January 1, 2011 to have their license issued, and not need to renew until December 31, 2012.

PCA requirement web page update

Due to the confusion caused by the list of Pest Control Advisor (PCA) minimum qualifications (MQ) core courses, as it pertained to specific colleges, the list of PCA Core courses that meet the MQ requirements for the PCA exams is being revised. The previous list was removed from the DPR website.

James Farrar and Mary Louise Flint have helped DPR to update the class information list. DPR is also working with County Agricultural Commissioners (CACs) to clarify the information. Because some colleges change the class code numbers periodically, specific code numbers of classes are being removed from the list, with only generic titles and descriptions listed for classes. Some classes are still being reviewed, and many of them fall under the general category of Physical and Biological Science.

Judy Letterman pointed out that in reality PCA applicants do not need a bachelor's degree to qualify for the PCA exams, but they do need to provide proof of completed course work. Matthew Scally felt that it would be a good idea to include information to students stating where they could transfer to complete their education to become a PCA, if community college classes were incomplete, because a 4 year college is not necessarily required.

It was noted that Mount Shasta College is trying to put together a program offering classes for prospective PCAs that will meet the minimum qualifications.

Committee members who want to view the proposed list and make suggestions were asked to make a request to Cynthia Ray by email after the meeting. The list is still in draft form, and should be completed within the next three weeks. Once completed, the proposed listing will be given to David Duncan for approval.

Special exams

There had been a request by the CAC's to hold additional examinations primarily for Soil Fumigation – Category O. The hotel arrangements were paid for by the registrant, and CAC staff helped DPR staff proctor the exam to an estimated 100 applicants.

Maintenance Gardener Workshops

Last year DPR was able to use USEPA pass-through money to fund training workshops in Spanish and in English for the Maintenance Gardener category. Although DPR staff did give the examinations that followed each of the trainings, the coordination that was necessary to enroll and train the attendees was done by San Luis Obispo CAC office. This year, USEPA has again chosen to provide discretionary fund for this work and more workshops are being held in San Luis Obispo, and it is being expanded to Stanislaus County as well. It was decided that it is a very effective approach to provide the workshop first and then take the exam following the work shop.

Judy Letterman and Mary Lou Flint both requested information as to how many individuals have taken the Category Q exam since it was created, and if possible, how many have taken it in Spanish. DPR staff agreed to see if these numbers could be generated for the APCAC.

2011 Laws and Regulations study guide

The 2011 Laws and Regulations study guide has been rewritten by DPR staff, and is currently at the office of DWR that helps with the formatting for printing. It is anticipated that the study guide should be available both in hard copy and online within a couple of months.

There was some discussion by the committee that there should be a statement on the DPR website, included with the study guide list, that informs individuals that they may make copies of the study guide without concerns about copyright infringements. The statement should be crafted by DPR's Legal Office. Staff agreed to look into that as well.

IV. New Soil Fumigant Labels & Requirements - Regina Sarracino

EPA is requiring important new safety measures for soil fumigant pesticides to increase protections for fumigant handlers and other workers from fumigant exposures. US EPA reviewed product labels and concluded that labels need to be improved. Many of the California requirements already meet the new federal requirements, as California is very active in passing

regulations and has strong permit restrictions to maintain the safety of the public and the environment.

Phase one: To achieve new protections, many new safety measures will appear on soil fumigant product labels by late December 2010. Handler activities are defined on all labels. Another new requirement is for a Fumigant Management Plan (FMP). These activities will include site preparation before application begins, when it ends, and tarped applications specifications. A summary form must record any deviations, temperature, and date of tarp renewal.

Phase two: Another set of the new safety measures, including buffer zones, must be included on fumigant labels by late 2011. Because California already has permit restrictions and many of the federal conditions don't mesh with the California restrictions, it must be determined the best way to combine federal requirements and state.

The new label requirements do change the limits of applications, additional respiratory protection is required, and entry restricted period changes quite a bit. Registrants also must supply training to applicators. Registrants of product have been notified to make label changes. Part of the requirements are to provide outreach program.

Judy Letterman suggested that a letter be sent to the applicants regarding applications and when category O – Field Fumigation is needed. She stated that some applicators may only make 2 applications a year, and that more information is needed to inform applicators of the new label requirements. The Enforcement branch is in the process of developing a CAC letter regarding what the Field Fumigation requirements entail, and how these requirements fit in with federal restrictions and DPR requirements. Generally this letter would be sent to CACs but could also be sent out to applicators if needed.

Judy also suggested posting the letter to PAPAs website to get the label information out more quickly.

V. UC IPM update Mary Louise Flint, UC Davis IPM

Position vacancy announcement: A position vacancy announcement has been posted on the University of California Integrated Pest Management (IPM) website for Pesticide Education Coordinator, the position formerly held by Pat O'Conner Maher. Mary Louise stated that they will hopefully receive applications from individuals who are not only well qualified for the position, but who are also bi-lingual, and have previous experience in pesticide training. UC IPM would like to see the position filled and in place by this summer.

Train the Trainer program: At the November APCAC meeting, Mary Louise said that UC IPM would like to see the 'Train the Trainer' programs up and running again, and David felt this to be good news and stated that he will bring it up at the winter conference. UC IPM is trying to work through a contract with DPR for the 'Train the Trainer' programs. The Pesticide training would be provided in the summer. Glen Foth said that, although the program is geared for agriculture,

he would like other areas presented as well, and Mary Louise stated that the new Pesticide Education Coordinator would be responsible for those needs being met.

Mary Louise Flint stated that the UC IPM Program was planning to sponsor up to 8 train-the-trainer sessions to train pesticide safety trainers of handlers/farm workers this year. UC IPM is working with County Ag Commissioners to determine interest and work on dates. Scott Hudson remarked that his county office is sponsoring an event to train pesticide handlers in March and that there was a great need for this training.

Urban Pesticide Runoff and Mitigation: As the first continuous CE hours that UC IPM has requested for approval, IMP- A solution fro Reducing Pesticides/Water Quality’, and ‘The Impact of Pesticides on Water Quality/Mitigating Urban Pesticide Runoff’ will offered on-line, free of charge.

Each course contains:

- Two narrated modules with short quizzes throughout
- A final test for each module
- Summary handouts

VI. Draft CE Regulation – Margie Read

The draft regulation which would allow DPR to automatically review CE records of individuals that apply for license renewal was shared with the APCAC. DPR is committed to increasing efficiency and streamlining our processes to better serve our licensees in the most cost-effective manner possible. This is particularly important for the establishing an online renewal process which includes verifying that our pesticide applicators have taken sufficient continuing education (CE) classes before renewing their licenses. The CE is an important validation of qualifications, and the one alternative that we can offer to our licensees as a substitute to taking a competency exam every two years.

Other online services that are in the planning stages for implementation include developing internet options so that the public can apply for new licenses, schedule examinations, and possibly take exams online. Altogether, these options will expedite and streamline processes for thousands of customers.

Scott Hudson thought that the process may sound easy but the 14 days time frame may prove difficult. He asked if the process could be tried first before it is implemented. It was explained that the 14 days really only became critical during the last few months of the calendar year when people are renewing. For example, if someone takes a course in October and then wishes to go online in November to renew their license, the expectation should be that he/she could.

Glen Foth felt that there may be fewer sponsors applying for CE accreditation because they do not want to provide or be responsible for this information. The group was encouraged to look at the process for what it was intended – to be able to provide a service to licensees so that they could use the online renewal service, cut down the ‘wait time’ for their renewal to be completed to ½ hour, as opposed to the current wait time of several weeks. In fact, individuals that have not

yet renewed when they go to register at the County Offices, could sit down at a computer, and renew immediately right there. This regulation is not about sponsors, it is about a tremendous service to all licensees and certificate holders.

DPR plans to demonstrate the CE reporting system.

VII. PI subcommittee update

There has not been another meeting of the PI subcommittee since the last APCAC meeting, due to scheduling difficulties among the very busy members. There will be a meeting before the next APCAC in May, as members wish to discuss evaluation of 'quality' for CE courses, as well as differentiation of acceptable criteria for correspondence courses – as opposed to online courses.

VIII. OTHER:

- The Governor has temporarily continued the appointment of Mary-Ann Warmerdam as Director of the Department of Pesticide Regulation until further notice.
- If the State budget for 2011-12 is approved on time, there will be given out of town. Regardless, the exam schedule for this calendar year had been expanded so that there will at least be one in Sacramento every month.
- Judy Letterman requested that, to provide ease of making notes, tables, as well as chairs, be provided for visitors attending the APCAC meeting.

Next Meeting – date and topics

Next meeting date: Thursday, May 5, 2011

Possible topics may include:

- Report on numbers in the last year, how many QAC applicants have taken the category Q exam, how many have actually passed the category Q exams, and how many Qs are currently licensed and in system
- Training for online reporting of Continued Education attendance.
- Permission to reproduce the on-line study guides

Public comment on any agenda item is welcome. Questions about this agenda should be directed to David Duncan at (916) 445-3870 or dduncan@cdpr.ca.gov.